

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

HOLLY RICE, individually and as parent
and natural guardian of N.R., D.W.,
D.W., K.W., minor children; RUDOLPH
SMITH and YMA SMITH; GARY J.
KUKLISH and KIMBERLY KUKLISH;
GEORGE and URSULA C. MARKISH;
and DARREL REDMAN and GINA
REDMAN, individually and on behalf of
all others similarly situated,

Plaintiffs,

vs.

FIRST ENERGY CORP., NRG ENERGY,
INC., and MATT CANESTRALE
CONTRACTING, INC.,

Defendants.

CASE NO. 2:17-CV-489-LPL

ECF NOS. 58 & 72

ORDER

AND NOW, this 7th day of September, 2018, in consideration of the Motions for Summary Judgment filed by First Energy Corp. (ECF No. 58) and NRG Energy, Inc. (ECF No. 72), the briefs, concise statements of undisputed facts and supporting documents, and Plaintiffs' briefs, responsive statements of fact and supporting documents in opposition to said motions,

IT IS HEREBY ORDERED that First Energy Corp.'s Motion for Summary Judgment (ECF No. 58) is **GRANTED** for the reasons set forth in the Court's Opinion of this same date. The Clerk of Court is directed to enter judgment in favor of Defendant, First Energy Corporation.

IT IS FURTHER ORDERED that NRG Energy, Inc.'s Motion for Summary Judgment (ECF No. 72) is **GRANTED** for the reasons set forth in the Court's Opinion of this same date. The Clerk of Court is directed to enter judgment in favor of Defendant, NRG Energy, Inc.

IT IS FURTHER ORDERED that Plaintiff shall file a second amended complaint, which complies with the Court's Opinion of this same date, within twenty-one days of this Order.

BY THE COURT.

A handwritten signature in black ink, appearing to read 'LP', is written over a horizontal line.

LISA PUPO LENIHAN

United States Magistrate Judge

cc: All Counsel of Record
Via CM/ECF Electronic Mail